



Docket No.: 1806.1007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Hiroshi YOKOYAMA et al.

Serial No. 10/539,054

Group Art Unit: 1796

Confirmation No. 4255

Filed: June 15, 2005

Examiner: HEINCER, LIAM J

For: POLYTRIMETHYLENE TEREPHTHALATE RESIN AND METHOD FOR PRODUCING
THE SAME

TERMINAL DISCLAIMER TO OBLVIAE A DOUBLE
PATENTING REJECTION (37 C.F.R. 1.321(C))

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

03/24/2009 SZEUDIE1 00066312 153935 10539054

Sir:

01 FC:1614 140.00 DA

Petitioner, **ASAHI KASEI CHEMICALS CORPORATION**: a corporation organized and existing under the laws of **JAPAN**, is the owner of one hundred percent interest in the instant application by virtue of an Assignment recorded on **June 15, 2005** at Reel **017445**, Frame **0942**. Petitioner has reviewed the evidentiary Assignment documents, and to the best of the undersigned's knowledge and belief, the title is in the name of **ASAHI KASEI CHEMICALS CORPORATION**, as specified previously.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of **U.S. Patent No. 7,198,846**. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to **U.S. Patent No. 7,198,846**. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim any terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 to 156 and 173 of **U.S. Patent No. 7,198,846**, as

presently shortened by any terminal disclaimer, in the event that **U.S. Patent No. 7,198,846** later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Petitioner hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is an attorney of record.

The requisite disclaimer fee under 37 C.F.R. §1.20(d) of \$140.00 is attached hereto. In the event any fees are required in connection with the filing of this disclaimer, please charge the same to deposit account number 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: March 23 2004

By: MJH
Mark J. Henry
Registration No. 36,162

1201 New York Avenue, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501